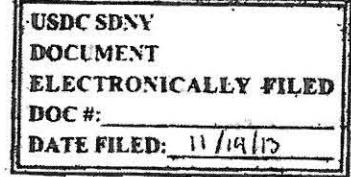


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November 18, 2013

Via ECF

The Honorable Sarah Netburn
United States Magistrate Judge, S.D.N.Y.
40 Foley Square
New York, NY 10007

Re: *Dedra De La Rosa v. 42nd Apple LLC d/b/a Applebees, Dave & Buster's of New York, Inc., and FC 42nd Street Associates, L.P.*

Docket No.: 13-CV-1036 (SAS) (SN)

Dear Judge Netburn:

We represent the plaintiff Dedra De La Rosa in the above-entitled action. We write, with the consent of counsel for defendant Dave & Buster's of NY LLC ("Dave & Buster's", and together with plaintiff, the "Parties") to update Your Honor regarding the status of settlement discussions between the Parties.

The parties have continued their settlement discussions related to the amusement arcade. Plaintiff has made a demand regarding amusement arcade and the accessibility of the games therein. Dave & Buster's is currently reviewing the demand, and counsel for parties are meeting in-person on Tuesday November 19, 2013 to discuss the proposal.

As the Parties are still discussing the amusement arcade issue, we respectfully request that Your Honor allow the parties additional time to work to resolve the matter.

Respectfully submitted,

/s
Adam S. Hanski, Esq.

APPLICATION GRANTED. The parties shall file a joint letter no later than November 22, 2013, advising the Court of the status of settlement negotiations with the remaining defendant, Dave & Buster's. The letter shall also advise the Court of the status of the Stipulation dismissing defendants 42nd Apple LLC and FC 42nd Street Associates, L.P. (the "Settling Defendants"). Upon receipt of such letter, and absent good cause shown, the Court will recommend to Judge Scheindlin that, with respect to the Settling Defendants, the claims shall be dismissed, and the stay of discovery with respect to Dave & Buster's shall be lifted and the parties shall complete any outstanding discovery.
SO ORDERED.

A handwritten signature in black ink, appearing to read 'Sarah Netburn'.

SARAH NETBURN
United States Magistrate Judge